

WASHINGTON CITY.

SATURDAY MORNING, NOV. 21, 1857.

Hon. A. O. P. Nicholson, senator elect from Tennessee, and Hon. Samuel A. Smith, member of Congress from the same State, arrived in this city yesterday morning. They are stopping at the Kirkwood House.

Among the late arrivals in this city is ex-Governor Stevens, delegate elect from the Territory of Washington.

Hon. James Landy, member of Congress from Pennsylvania, arrived in this city last evening, and took lodgings at the Kirkwood House.

KANSAS AFFAIRS.

We publish from the New York Times the following fair and candid article upon the recent action of the Kansas convention. It contrasts most favorably with the harsh, ungenerous, and captious criticisms of the opposition press generally. Having committed themselves upon the false telegraphic rumors, to which we alluded yesterday, many of our contemporaries seem to prefer a persistence in error to a frank confession of the blunder into which they were led by confiding in the first false rumors. We commend the article of the Times to our readers and its spirit to our brethren of the press:

KANSAS AFFAIRS.—THE STATE CONSTITUTION.—We publish this morning an authentic statement of the manner in which the new constitution of Kansas is to be submitted to the popular vote, and also an article from the Washington Union upon what it styles the "peaceful settlement" of this territorial controversy.

A careful perusal of the schedule of submission, as adopted by the convention, will show that the reports hitherto received of its action have not been entirely reliable. It was at first announced, and is still very generally repeated, that, even if the majority of the people should vote in favor of the constitution, it would be rejected by the convention, and the territory would then be simply silent on the subject, and slavery would be recognized in the new State by virtue of the federal constitution, as interpreted by the Supreme Court, and enforced by the national administration. A perusal of this document will show that this impression is not well founded, and that the people of Kansas have it fully in their power to prohibit slavery by this vote, if they see fit.

The eleventh section of the schedule provides that on the 21st day of December next the vote of the people shall be taken; that the ballots cast at said election shall be endorsed "constitution with slavery" and "constitution without slavery"; that if a majority of the ballots are cast for the former, then the constitution shall be immediately transmitted to Congress; but if it shall appear that the majority is in favor of the "constitution with no slavery," then

"The article providing for slavery shall be stricken from the constitution by the president of this convention, and NO SLAVERY SHALL EXIST IN THE STATE OF KANSAS, except that the right of property in slaves now in this Territory shall in no manner be interfered with."

The effect of a vote, therefore, striking out the slavery clause, will be to make Kansas a free State. In spite of all that has been said upon the other side, the language of the schedule seems to leave no doubt whatever upon this point.

After the people shall have thus ratified the constitution, and decided for themselves whether Kansas shall be a free or a slave State, it is to be sent to Congress for its action. An election for governor and State officers is fixed for the first Monday in January next, only seven weeks from the present time; and all laws now in force, and all territorial officers now in office, are to be continued until that date. After the year 1864 the call of a convention to amend the constitution shall require a vote of two-thirds the members of each house, and a majority of the people; and that time the fair inference is that the majority may alter or amend it as they see fit. Whether this is, or is not, the intent of the provision, it is very clear that, after admission as a State, the majority of the people will do just as they may see fit. It is not in the power of this convention, nor of Congress, to bind or restrain their action.

The incredulity which we expressed two or three days since as to the reliability of the extravagant reports that reached us concerning the action of the convention is fully justified by the result. That action is far less exceptional than the public was at first led to suppose. It remains to be seen how it will be received by the free-State party in the Territory.

THE GRAND RESULT IN NEW YORK.

We have received (says the Albany Argus) the official returns from all the counties in the State except Sullivan, which we estimate. The vote stands on secretary of State as follows:

Tucker, democrat.....195,892
Clapp, republican.....177,564
Putnam, know-nothing.....67,234

Total.....439,690
Tucker, democrat, over Clapp, republican.....18,328
Putnam, know-nothing, 128,658
Democratic gain over republicans since last fall.....98,457

The vote stood last fall as follows:
Buchanan.....195,878
Fremont.....276,007
Fillmore.....124,024

Deduct vote of 1857.....596,509
Total.....439,690
Falling off from last fall.....156,819

Democratic gain.....14
Republican decrease.....98,443
Know-nothing decrease.....57,390

The vote on the judiciary stands as follows:
Denio, democrat.....197,847
Jenkins, republican.....172,788
Ketchum, know-nothing.....65,541
Denio over Jenkins.....25,059
Denio over Ketchum.....132,306

In regard to the legislature, the same paper says:

"The senate stands as heretofore stated—14 democrats, 16 republicans, 2 know-nothings, and 1 independent.

"The assembly, in consequence of the election of the know-nothing candidate in Franklin county by one majority, varies to that extent from our list heretofore published, and stands democratic 58, republicans 61, know-nothings 9."

MINNESOTA.

The constitution of the State of Minnesota provides that the first session of the legislature shall commence on the first Wednesday (the second day) of December next, at the State capital in St. Paul. Two United States senators are to be chosen by this legislature.

THE KANSAS CONSTITUTION.

The New Haven (Connecticut) Register says:

"There is an attempt to open the wounds of bleeding Kansas again, because, say the black republicans, 'if all the people do vote down the slavery clause,' the constitution will still sanction slavery.' Inasmuch as the constitution says nothing on the subject! That is capital black-republican logic—quite as good as they ever use on any political topic. The constitution of Connecticut is also silent on the subject of slavery, although adopted in 1813. It is not necessary that there should be a clause in the constitution prohibiting slavery to enable the people of a State to dispense with the institution! A simple law of the legislature, (when Kansas shall be admitted as a State,) will settle that question in accordance with the public will. They object, too, that the constitution provides that existing laws shall remain in force until a new legislature, elected under the new constitution, can meet and revise them. This is perfectly proper, and nothing new: the same course was adopted on the formation of the Connecticut constitution! and what was proper for 'the land of steady habits' ought to be good enough for 'border ruffians' and 'abolition shriekers.' On the whole, we do not believe that Kansas can be made to bleed very severely on this new kick."

The editors of that sterling organ of the democracy, the Federal Union, have been nominated for State printers by the democratic members of the Georgia legislature.

PRINCIPLES OF THE NEW ANTI-DEMOCRATIC PARTY.—A NATIONAL BANK.

The first item of the creed of this new party is a national bank, to be chartered by Congress. The advocates of the proposed corporation ascribe to it perfections and qualities of a magical and superhuman kind. It is to regulate the finances, as well as the business and currency of the country, and keep some thirteen hundred State banks in order, prevent their contracting bad debts, loaning when they ought not, as well as to prevent their issuing too many or too few bills, and see that they keep the right amount of specie in their vaults, and prevent overtrading by merchants. Some marvellously wise and active man is to be selected, who will not only keep his own bank in perfect order, (a sort of man never yet found,) but also regulate thirteen hundred establishments scattered in every nook and corner of the country, often a thousand or more miles distant from him, about which he can know little or nothing.

Everybody but the contrivers of this new party knows that nothing short of omnipotence can accomplish a thousandth part of the duties which it is proposed to commit to the corporation proposed.

Congress, we all know, cannot exercise itself, or confer upon a corporation or anybody else the power to exercise, any direct control over the State governments or institutions created by them, nor will the people ever assent to any such interference by Congress, or any agency or corporation created by or under its authority. A national bank would be equally as powerful for mischief as for good, and by mismanagement might produce the very evils that ought to be remedied. It might create expansion when contraction was required, and induce contractions when expansion might be the most proper. It might stimulate speculation when it ought to be checked, and seek to check it when not excessive or did not exist at all. It might require suspensions of payment by other banks when they could and ought to pay, and might continue the suspension for its own purposes, regardless of the interests of other banks or the public. It might raise or lower the price of lands, stocks, merchandise, and farm produce to suit its own purposes, or those of its managers. It might make specie plenty or scarce, and bills of exchange high or low, without reference to the course of trade and business. We say this upon the theory of the advocates of such a bank, that it could regulate and control at its pleasure. If it could, such a power lodged in a corporation, over whom neither national nor State governments could exercise any control in these matters, would be most dangerous to all other banks, and business as well as welfare of the country. If it could not control, then it would be no more powerful for good than any other moneyed corporation.

If such a corporation had the wish to do good, is there any certainty that it could even control its own affairs better than other banks manage theirs? Would the officers of such a bank be wiser or better than those in State banks? Where would such men be found? In what way could they ascertain the condition and exercise control over State banks? What would such a bank do that State banks should refuse obedience? If the latter should not disobey the laws of their States, no punishment could be inflicted. If the great national regulator should make mistakes and behave badly, who would regulate or punish it? It might sink its capital, and no one outside could find it out until after it was gone. This no power on earth could remedy. All the statements and examinations of the late national bank did not prevent its becoming utterly insolvent, and sinking some ninety-seven cents upon the dollar of its capital. A great regulator is no more to be trusted than a little one, and with a score of presidents and cashiers, it could not regulate the thirteen hundred State banks, many of which are as well managed, and probably better than the national bank ever was. But is it safe for the business and currency of the country to have aggregated under one control, if not at one point, a capital so large that it could issue its commands to the institutions and business of the States? It would require over a hundred millions to enable it to make much headway in controlling the State banks by the use of its capital. Where is such a capital to come from? Shall Europe furnish it and control our business and currency? Shall it be established with real money, or stock notes, or bonds and mortgages, stocks, &c.? Every well-informed banker knows that if such a bank is not founded upon real money, it not only cannot control others, but is in danger of failing itself, because no one can bank upon securities filed away beyond his control, and which are only available in case of failure. A bank based merely upon debts has no real money, and although its notes may be ultimately paid, or partly so, can never control the currency of the country, but will have enough to do to take care of its own circulation. Combinations against it by those it attempts to control might easily prostrate it. Then, if real capital is necessary to the amount of a hundred millions or more, where, from what sources, is it to be drawn? The mass of the people prefer to manage their own means, but if they invest in bank stock they prefer to do so at home, where they know the managers, and can keep an eye upon them. The capitalists of one city are not likely to send their means to another to be managed. They will prefer to use it at home.

The former bank claimed and enjoyed exemption from taxation on its capital, save its banking house, without such a provision authorizing it in its charter. Will the people ever consent to the creating of a mammoth corporation with a hundred or two millions capital exempt from taxation? State banks are taxed, and help bear the burdens incident to governments. Why should a national bank escape? Carry out this principle, and we may expect national banks scattered everywhere, superseding and driving out State banks, setting the State authorities at defiance, as the old bank did, because it claimed to be a fiscal agent of the government. What would the hard-working taxpayers think of that kind of equality and justice which should require all State expenses at their hands, leaving bank capital untaxed? Exempting banks from taxation is creating a privileged class, when the constitution provides equality.

But a still greater objection is, that Congress has no power to charter such a corporation. The power is not found among those expressly conferred, and it is neither necessary nor proper as an incident to

enable Congress to exercise any specified in the constitution. The advocates of such a corporation cannot agree upon the express power to which it is an incident. Congress has power to lay and collect taxes, but a corporation is not needed either in laying or collecting. It can borrow money, but it is absurd to say that under it Congress can create a lender, not of money, but a bad substitute. It can regulate commerce, but it cannot create a corporation and delegate to it the power to do so, nor to use it for any such purpose. Commerce may be "affected" for good or for evil by bank operations—expansions, contractions, and failures—but it can be "regulated" only by laws of Congress. Congress can declare and conduct war, but a bank corporation is not a necessary or proper agent in doing either. If it could act at all, it probably would be to dictate to that body what it might do. The power to raise and support armies and navies requires no such agency for any purpose whatever. A bank which manufactures paper money is not a necessary incident to the power to coin money and regulate the value of current coin. In none of these cases is a banking corporation either necessary or proper in executing an express power.

But it is said that it is necessary and proper as a "fiscal agent" of the government. This is not so. The treasury receives, keeps, and pays out our revenues, and has more than answered the expectations of its friends, and its ancient enemies concede that it is all that is desired. A bank is desired for wholly different purposes. As an incident to any express power it is not needed. It is conceded that Congress may select and employ such agents as it may reasonably be necessary to manage the affairs of the government under the constitution. But this does not authorize the creation of an agent, so that it may, after its creation, be employed, and much less that it may create and employ agents that are worse than useless. If it can create, under one of these express powers, a corporation to manage public affairs, it can do so under each of them. There can be no limit to the powers it may confer upon such agency, because, under the theory that Congress judges of the means to be used, it must determine the extent of their use. There is no power in the constitution authorizing Congress to create a "fiscal agent." The government itself is, in fact, the real fiscal agent of the people, and the President is the head of that agency. If Congress can create a "fiscal agent" and other agencies under the incidental authority of some express power, then the government may be taken out of the hands of its constitutional officers and committed to those who owe it no responsibility. If a fiscal agent of this kind can be created, it may be done by Congress over the President's veto, and the whole finances of the nation taken from officers commissioned by him, and put under the control of such persons as the stockholders of the bank may appoint. Then the controlling spirit of the "fiscal agent" will be persons over whom neither the President nor Congress can exercise any possible control. The government agent will be that person whom others will select, and whom he will obey. A thousand statutes cannot relieve from the difficulty. This agent, having its money, may set the government at defiance, as well in war as in peace, and no power on earth but bayonet force can reach it, and even that might find nothing but empty boxes instead of money.

Persons appointed by the bank owners would not be agents of the government, nor officers under the constitution. Such a contrivance would deprive the President of the appointing power expressly conferred on him by the constitution, while he would be held responsible for the consequences of all its acts, however fatal they might prove. Except those which may be vested in the courts or heads of departments, or specially provided for in the constitution, the President must appoint every officer of the whole government, and the right to do so cannot be taken from him and placed in other hands as an incident to any other power. We think no one who will read and reflect will doubt that a national bank cannot be created as a fiscal or other agent under the constitution, but that a charter such as is desired would be both unwise and unconstitutional. Still, this is the great corner-stone of the new anti-democratic party.

LAUNCH OF THE UNITED STATES REVENUE CUTTER HARRIET LANE.

We copy the following from last Thursday evening's edition of the New York Express:

"According to previous announcement, the new steam revenue cutter, Harriet Lane, named after Mr. Harriet Lane, was launched from the ship-yard of Wm. H. Webb, foot of 6th street, this forenoon. The occasion was an interesting one.

"At an early hour this morning the people began to gather to witness the scene, and when the vessel was launched certain not less than 5,000 people were present. Every available space on the adjacent docks and also on the vessels in the vicinity was taken up, and the yard was fairly black with people. The number of ladies was greater than at any previous launch for some time.

"The greatest interest seemed to be taken in the affair by the ladies. The vessel was not launched at the appointed time, as the tide was running up very strong, and quite a stiff breeze blowing, which would have carried her against the Seventh-street dock. At about twenty minutes to 12 o'clock the blocks were knocked from under, and she slid gracefully into her future element, nothing whatever happening that could mar the scene.

"Her beautiful model showed to perfection as she lay in the water after launching. A very interesting ceremony took place just as her bows dipped into the water—Augustus Schell, esq., collector of the port, advancing to the side of the vessel and proposing three cheers for the 'Harriet Lane,' which was heartily responded to by the crowd, on board, on the dock, and in the yard. Among those present were the surveyor and naval officer of the port, and other United States officers.

"She was taken in tow to the Allaire Works. She is a vessel of about 650 tons register, built for service in the winter. The vessel was not launched at the appointed time, as the tide was running up very strong, and quite a stiff breeze blowing, which would have carried her against the Seventh-street dock. At about twenty minutes to 12 o'clock the blocks were knocked from under, and she slid gracefully into her future element, nothing whatever happening that could mar the scene.

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CONTEMPLATED CHANGES IN THE CHINESE TARIFF IN FAVOR OF BRITISH MANUFACTURES.

Our merchants engaged in the Chinese trade should be apprised that efforts are now being made by the British officials in China, the object of which is virtually to give British imports of manufactured articles an advantage over similar imports from the United States and other countries. We have no objection to any modifications or reductions of duty which may be obtained by British merchants on their cotton and other manufactured articles, provided the benefit of such modifications or reductions shall be shared alike by the citizens and subjects of the other treaty powers; but the success which has already attended the ingenious devices of British merchants to secure for their manufactures, especially of cotton, in Turkey, the Barbary States, and in other parts of the world, custom-house advantages over similar merchandise manufactured in the looms of Massachusetts and other northern States, naturally excites our suspicion and demands the strictest vigilance and the most careful scrutiny of any new movements on the part of Great Britain to secure special tariff privileges in countries in which we enjoy, by treaty, an equality of rights. It should be borne in mind that our exports of domestic products to China augment in quantity and value every year. The following tabular statement—which, although official, is far below the actual value of our exports of domestic products to China—will abundantly show this fact:

Statement showing the value of exports of domestic produce from the United States to China from 1850 to 1856.

1850.....	\$1,485,961
1851.....	2,155,945
1852.....	2,480,006
1853.....	2,212,374
1854.....	1,293,925
1855.....	1,533,057
1856.....	2,048,244

Our manufactures of cotton constitute a large portion of the above values. They amounted last year to nearly \$900,000, and the manufacturers of Manchester are our principal competitors in the markets of China. We shall therefore esteem it our duty, as it will be our pleasure, in anticipation of the official report of the State Department on foreign commercial changes, annually transmitted to Congress about the commencement of each session, to keep our mercantile readers duly advised in regard to all commercial movements, especially in relation to foreign tariffs, whether in China or elsewhere, which may, in any degree, affect the interests of American shippers. The initiatory step in the contemplated reduction of import duties on British manufactures in Chinese ports is indicated in the following official circular, addressed to leading British mercantile firms, at the five ports, from the "office of the British consulate at Canton." We will only add that we shall duly announce further developments as they transpire and come to our knowledge:

OFFICE OF THE BRITISH CONSULATE FOR CANTON, Hong-Kong, August 8, 1857.

Sir: I have the honor to inform you that his excellency the Earl of Elgin is desirous of obtaining as much information as possible with reference to the operation of the tariff of duties on exports and imports now established in the ports of China. He is led to believe that it admits, among other improvements, of modifications favorable to the development of the import trade in British manufactures, and that by reason of the diminution in the cost of production of some articles, and from the want of more specific denominations as applied to others, some important classes of British manufactured goods are charged with higher rates of duty than were in contemplation at the period when the present tariff was agreed on.

His excellency accordingly instructs me to put myself in communication with the leading members of the British mercantile firms within this consular district, with a view of obtaining from them the information on these and similar points of detail which they are so well qualified to give, and his excellency authorizes me to add that he will receive with pleasure any suggestions of a more general nature bearing on the important subject of our commercial relations with China.

The wide scope thus given by his excellency to the above inquiry, and the declared readiness of the Canton community to undertake the task, lead me to believe that the result will be of great benefit to the interests of the country, and I am, Sir, your most obedient servant.

HARRY S. PARKES.

For the Union.

SMALL BILLS.—POST OFFICE ORDERS.

All parties at present are beginning to acknowledge that our currency would be vastly improved by the suppression of all bank-bills, of the smaller denominations at least. Still, to effect this, or to cordially and universally enlist the press in its favor, some convenient mode must be provided for remitting safely small sums. A bill can be enclosed in a letter without its presence being suspected. Few like to enclose gold, and, except for very small sums, postage stamps are too bulky. Introduce, as in England, the system of post office orders for small sums, and the people will willingly pay the necessary premium. There will be no further need of small bills, and those issued will be compelled to remain near home instead of being remitted to remote parts of the Union to be seldom or never returned.

"ONE OF THE PEOPLE."

ATHENS, Georgia.

CHANCES FOR THE UNEMPLOYED.—The Chicago Tribune says:

"We learn from all quarters of the interior that farm laborers were never more in demand at this season of the year than at the present time. Capt. Schneider, editor of the Staats Zeitung, of this city, in an article addressed to his country readers, offered his services in procuring and sending them such help as they might individually need. Since then he has been overwhelmed with letters from all quarters of the Northwest, which he has been sending into active service, and we are glad to say that he has been instrumental in securing many winter quarters for many of his countrymen who might otherwise before the end of this inclement season have felt the pinching hand of want."

HEAVY VERDICT.—In the United States court, now in session in this city, in a cause wherein Col. Richard P. Morgan was plaintiff, and the Peoria and Oquawka Railroad Company was defendant, and which has been progressing during the past week, the jury rendered a verdict of \$50,000 damages for the plaintiff. The cause was tried before the same tribunal some time since, when the jury found for the defendant \$47,000, and a new trial was granted. Above is the result. The cause was argued by Messrs. Blackwell and Andrick for the plaintiff, and by Judge Purple and Beckwith for the defense.

Chicago Press, Nov. 17.

The hard times have seriously affected the horse market. In New York the Post tells us those who a few months since bought on speculation find themselves unable to sell without a ruinous discount from original cost, if at all, while to keep them is no less ruinous than to sell. At the semi-weekly horse auction on Monday horses which in ordinary times would be held at \$100 or \$150 each were struck down at \$20 or \$30; and one animal, capable of much service on a farm or before a day, was struck off at \$3.

A letter from Shelbyville, Tenn., says that there will be fatted for market, from 150,000 to 200,000 hogs within an area of fifty miles each way from that point.

Professor Calvin Stowe, a leading theologian of Andover, and husband of Mrs. Stowe, it is thought will run for Congress in the district now represented by Speaker Banks.

DEPARTMENT NEWS.

STATE DEPARTMENT.

Proceedings in Great Britain in Case of Bankruptcy.—It may be of interest at the present time to call attention to a recent amendment of the act of 7 & 8 Vict., cap. 111, for facilitating the winding up of the affairs of joint-stock companies unable to meet their pecuniary engagements, and also the "joint-stock companies winding up acts of 1848-49."

It is provided by the amendment above mentioned that, with a view of making provision for the more equal distribution among creditors as well of the assets arising from the separate estates or contributions of shareholders in any company as of the joint assets thereof, the judge or master, in all cases in which a winding-up order shall have been made, may, by advertisement, call meetings of creditors to appoint representatives of creditors, and, in any case when such company shall be declared bankrupt, and no winding-up be made, the assignees may compromise with the shareholders as to bind all creditors.

It is furthermore made lawful by this act for representatives of creditors to concur or take part in all the proceedings in the winding up of such company, or in any compromise which the official managers may propose; and all the creditors are fully and effectually bound thereby. All orders and proceedings before the judge or master are subject to appeal; and all creditors are at liberty to inspect the proceedings, to submit propositions, and to inspect the books of the company.

INTERIOR DEPARTMENT.

An Interesting Decision.—Subjoined is the decision of the Commissioner of Patents on the application of John McLarty for a patent for an improved "policeman's club." It will be found that the application was rejected. The reasoning of Mr. Holt is not more creditable to his head than his heart:

UNITED STATES PATENT OFFICE.

November 14, 1857.

On appeal to the Commissioner from the decision of the examiner rejecting the application of John McLarty for letters patent for an improved "policeman's club."

The model of the "club" on file is a slender, tapering, rounded, and about an inch and a quarter in diameter. It has a smooth and polished surface, and resembles the baton generally borne by police and other officers. In practical use it would be lengthened, and would, no doubt, in accordance with the views of the inventor, generally take the form of an ordinary walking cane. Its exterior gives no indication of its real character or capabilities. It is round, and about an inch and a quarter in diameter. It has a smooth and polished surface, and resembles the baton generally borne by police and other officers. In practical use it would be lengthened, and would, no doubt, in accordance with the views of the inventor, generally take the form of an ordinary walking cane. Its exterior gives no indication of its real character or capabilities. It is round, and about an inch and a quarter in diameter. It has a smooth and polished surface, and resembles the baton generally borne by police and other officers. In practical use it would be lengthened, and would, no doubt, in accordance with the views of the inventor, generally take the form of an ordinary walking cane. Its exterior gives no indication of its real character or capabilities. It is round, and about an inch and a quarter in diameter. It has a smooth and polished surface, and resembles the baton generally borne by police and other officers. In practical use it would be lengthened, and would, no doubt, in accordance with the views of the inventor, generally take the form of an ordinary walking cane. Its exterior gives no indication of its real character or capabilities. It is round, and about an inch and a quarter in diameter. It has a smooth and polished surface, and resembles the baton generally borne by police and other officers. In practical use it would be lengthened, and would, no doubt, in accordance with the views of the inventor, generally take the form of an ordinary walking cane. Its exterior gives no indication of its real character or capabilities. It is round, and about an inch and a quarter in diameter. It has a smooth and polished surface, and resembles the baton generally borne by police and other officers. In practical use it would be lengthened, and would, no doubt, in accordance with the views of the inventor, generally take the form of an ordinary walking cane. Its exterior gives no indication of its real character or capabilities. It is round, and about an inch and a quarter in diameter. It has a smooth and polished surface, and resembles the baton generally borne by police and other officers.